COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

A TRADITION OF SERVICE

INCIDENT REPORT

DATE 10/15/2020 PAGE 1 OF 5

ACTION:	NON-CRIMINAL	# OF ADULT ARRESTS	# OF SUBJECT DETENTIONS	URN# RETENTION	YEAR	SEQUENTIAL	REPORTING DISTRICT	STAT CODE	TAG#
☒ ACTIVE ☐ PENDING ☐ INACTIVE	☐	0	0	0	20	08775	0375	013	011

CLASSIFICATION 1 / LEVEL / STAT CODE
Assault with a deadly weapon (firearm), 245 (a) (2) PC / F / 051

CLASSIFICATION 2 / LEVEL / STAT CODE
Attempt Rape, 664/261 PC / F / 022

CLASSIFICATION 3 / LEVEL / STAT CODE
Evading with a willful disregard for the safety of others, 2800.2 (a) CVC / F / 339

CLASSIFICATION 4 / LEVEL / STAT CODE

ADDITIONAL STAT CODES: ☐ ASAP / 83 ☒ FIREARM RELATED / 830 ☐ GANG RELATED / 860 ☐ CYBER CRIME / 551 ☐ CYBER - RELATED CRIME / 552 ☐ CYBER - RELATED INCIDENT (NON - CRIMINAL) / 558 ☐ OTHER

DATE / TIME / DAY OF OCCURRENCE: 10-15-20 / 0349 Hours / Thursday

☐ PRINTS REQUESTED ☐ PRINTS COMPLETED REQUESTED BY: TIME:

LOCATION OF OCCURRENCE: [redacted] W. 108th Street, Los Angeles, CA 90044

BUSINESS NAME: N/A

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE	#	of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
V	1	4	[redacted]	[redacted]	[redacted]	F	W	[redacted]	21	[redacted]

RESIDENCE ADDRESS: [redacted] CITY: [redacted] STATE: [redacted] ZIP: [redacted] RESIDENCE PHONE (Area Code): [redacted]

BUSINESS / SCHOOL (GRADE) ADDRESS: [redacted] CITY STATE ZIP BUSINESS PHONE (Area Code): [redacted]

ETHNIC ORIGIN EMAIL ADDRESS: [redacted] SOCIAL NETWORKING ACCOUNT: [redacted] CELL PHONE (Area Code): [redacted]

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 2 # ___ # ___ # ___ # ___
VICTIM DESIROUS OF PROSECUTION? YES
VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? YES
ENGLISH SPEAKING? ☒ YES ☐ NO LANGUAGE

CODE	#	of	LAST NAME	FIRST NAME	MIDDLE NAME	SEX	RACE	DOB	AGE	DRIVER'S LICENSE / STATE ID
V	2	4	[redacted]	[redacted]	[redacted]	F	B	[redacted]	43	

RESIDENCE ADDRESS: [redacted] CITY: [redacted] STATE: [redacted] ZIP: [redacted] RESIDENCE PHONE (Area Code): [redacted]

BUSINESS / SCHOOL (GRADE) ADDRESS: [redacted] CITY STATE ZIP BUSINESS PHONE (Area Code): [redacted]

ETHNIC ORIGIN EMAIL ADDRESS: [redacted] SOCIAL NETWORKING ACCOUNT: [redacted] CELL PHONE (Area Code): [redacted]

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 1 # ___ # ___ # ___ # ___
VICTIM DESIROUS OF PROSECUTION? YES
VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY?
ENGLISH SPEAKING? ☒ YES ☐ NO LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE	#	of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID
S	1	1	Young Jr.	Dana	Mitchell	01-30-73	47	[redacted]

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIGHT	CELL PHONE (Area Code)
M	B		Black	Brown	6'00"	175	Unknown

RESIDENCE ADDRESS: [redacted] CITY: [redacted] STATE: [redacted] ZIP: [redacted] RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS: Unknown CITY STATE ZIP BUSINESS PHONE (Area Code)

AKA EMAIL ADDRESS SOCIAL NETWORKING ACCOUNT ENGLISH SPEAKING? ☒ YES ☐ NO LANGUAGE

MONIKER CHARGE: 245 (a) (2) PC / 664/261 PC / 2800.2 (a) CVC BOOKING NUMBER: N.I.C. WHERE DETAINED OR CITE NUMBER: N.I.C.

CODE	#	of	LAST NAME	FIRST NAME	MIDDLE NAME	DOB	AGE	DRIVER'S LICENSE / STATE ID

SEX	RACE	ETHNIC ORIGIN	HAIR	EYES	HEIGHT	WEIGHT	CELL PHONE (Area Code)

RESIDENCE ADDRESS CITY STATE ZIP RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS CITY STATE ZIP BUSINESS PHONE (Area Code)

AKA EMAIL ADDRESS SOCIAL NETWORKING ACCOUNT ENGLISH SPEAKING? ☐ YES ☐ NO LANGUAGE

MONIKER CHARGE BOOKING NUMBER WHERE DETAINED OR CITE NUMBER

BY DEPUTY: Do, Laina EMPLOYEE #: [redacted] SWORN EXP IN YRS: 1 DEPUTY: Reyes, Mark EMPLOYEE #: [redacted] SWORN EXP IN YRS: 13 VACATION DATES: None

STATION: South LA UNIT / CAR #: 34 SHIFT: D APPROVED: SGT. [redacted] EMPLOYEE #: [redacted] DATE / TIME: 10/15/20 2145

PCD SUBMITTED? NO VACATION DATES: None ASSIGNMENT: Homicide

HQ NOTIFICATION REQUESTED? NO DEPUTY DATE / TIME SPECIAL REQUEST DISTRIBUTION

SUSPECT / SUBJECT FIELD RELEASE APPROVED BY DATE / TIME CRIME BROADCAST BY DATE / TIME

SCAN By: [initials] SECRETARY Date: 10/17
LARCIS By: [initials] Date: 10/17

76C300F - SH-R-49 (Rev. 4/2014)

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT
INCIDENT REPORT CONTINUATION

URN# 020-08775-0375-013

TAG# 011

CLASSIFICATION # / LEVEL / STAT CODE

CLASSIFICATION # / LEVEL / STAT CODE

CLASSIFICATION # / LEVEL / STAT CODE

VEHICLE

VEHICLE FOR VICTIM #

VEHICLE FOR SUSPECT # 1

LICENSE (STATE & NUMBER): CA [redacted]

REGISTERED OWNER: [redacted]

YEAR	MAKE	MODEL	BODY TYPE	COLOR
09	Volks	Tiguan	4-door	Silver

IDENTIFYING FEATURES: Red/white stickers on rear side windows

STATUS: DAMAGED STORED

CHP 180 SUBMITTED? YES

GARAGE NAME & PHONE: B & H Tow 310-370-3768

DESCRIPTION OF DAMAGE: Traffic collision damage to the front bumper

CODE: V - VICTIM • W - WITNESS • I - INFORMANT • R - REPORTING PARTY • P - PARTY

CODE: V | # 3 of 4 | LAST NAME: [redacted] | FIRST NAME: [redacted] | MIDDLE NAME: [redacted] | SEX: M | RACE: B | DOB: [redacted] | AGE: 32 | DRIVER'S LICENSE / STATE ID: [redacted]

RESIDENCE ADDRESS: [redacted] | CITY: [redacted] | STATE: [redacted] | ZIP: [redacted] | RESIDENCE PHONE (Area Code): [redacted]

BUSINESS / SCHOOL (GRADE) ADDRESS: [redacted] | CITY | STATE | ZIP | BUSINESS PHONE (Area Code): [redacted]

ETHNIC ORIGIN | EMAIL ADDRESS: [redacted] | SOCIAL NETWORKING ACCOUNT: [redacted] | CELL PHONE (Area Code): [redacted]

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 1 # # # # | VICTIM DESIROUS OF PROSECUTION? YES | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? | ENGLISH SPEAKING? ■ YES ☐ NO | LANGUAGE

CODE: V | # 4 of 4 | LAST NAME: [redacted] | FIRST NAME: [redacted] | MIDDLE NAME: [redacted] | SEX: M | RACE: B | DOB: [redacted] | AGE: 31 | DRIVER'S LICENSE / STATE ID: [redacted]

RESIDENCE ADDRESS: [redacted] | CITY: [redacted] | STATE: [redacted] | ZIP: [redacted] | RESIDENCE PHONE (Area Code): [redacted]

BUSINESS / SCHOOL (GRADE) ADDRESS: [redacted] | CITY | STATE | ZIP | BUSINESS PHONE (Area Code): [redacted]

ETHNIC ORIGIN | EMAIL ADDRESS: [redacted] | SOCIAL NETWORKING ACCOUNT: [redacted] | CELL PHONE (Area Code): [redacted]

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # 1 # # # | VICTIM DESIROUS OF PROSECUTION? YES | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? | ENGLISH SPEAKING? ■ YES ☐ NO | LANGUAGE

CODE | # of | LAST NAME | FIRST NAME | MIDDLE NAME | SEX | RACE | DOB | AGE | DRIVER'S LICENSE / STATE ID

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

ETHNIC ORIGIN | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | CELL PHONE (Area Code)

VICTIM OF OFFENSE(S) (CLASSIFICATION) #: # # # # | VICTIM DESIROUS OF PROSECUTION? | VICTIM OF SEX CRIME DESIROUS OF CONFIDENTIALITY? | ENGLISH SPEAKING? ☐ YES ☐ NO | LANGUAGE

CODE: S - SUSPECT • SJ - SUBJECT • M - PATIENT • S/V - SUSPECT / VICTIM • SJ / V - SUBJECT / VICTIM

CODE | # of | LAST NAME | FIRST NAME | MIDDLE NAME | DOB | AGE | DRIVER'S LICENSE / STATE ID

SEX | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO | LANGUAGE

MONIKER | CHARGE | BOOKING NUMBER | WHERE DETAINED OR CITE NUMBER

CODE | # of | LAST NAME | FIRST NAME | MIDDLE NAME | DOB | AGE | DRIVER'S LICENSE / STATE ID

SEX | RACE | ETHNIC ORIGIN | HAIR | EYES | HEIGHT | WEIGHT | CELL PHONE (Area Code)

RESIDENCE ADDRESS | CITY | STATE | ZIP | RESIDENCE PHONE (Area Code)

BUSINESS / SCHOOL (GRADE) ADDRESS | CITY | STATE | ZIP | BUSINESS PHONE (Area Code)

AKA | EMAIL ADDRESS | SOCIAL NETWORKING ACCOUNT | ENGLISH SPEAKING? ☐ YES ☐ NO | LANGUAGE

MONIKER | CHARGE | BOOKING NUMBER | WHERE DETAINED OR CITE NUMBER

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VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM # 3 / VEHICLE FOR SUSPECT #	CA [redacted]	17	Chevy	Malibu	4-door	Blue
	REGISTERED OWNER: [redacted]	IDENTIFYING FEATURES: N/A				
STATUS	CHP 180 SUBMITTED? NO	GARAGE NAME & PHONE: N/A				
DESCRIPTION OF DAMAGE: N/A						

VEHICLE	LICENSE (STATE & NUMBER)	YEAR	MAKE	MODEL	BODY TYPE	COLOR
VEHICLE FOR VICTIM # 4 / VEHICLE FOR SUSPECT #	CA [redacted]	15	Infiniti	Q50	4-door	Gray
	REGISTERED OWNER	IDENTIFYING FEATURES: N/A				
STATUS	CHP 180 SUBMITTED? NO	GARAGE NAME & PHONE: N/A				
DESCRIPTION OF DAMAGE: N/A						

SCREENING FACTORS

- ☐ 1. SUSPECT IN CUSTODY
- ☒ 2. SUSPECT NAMED / KNOWN
- ☐ 3. UNIQUE SUSPECT IDENTIFIERS
- ☒ 4. VEHICLE IN CUSTODY
- ☐ 5. UNIQUE VEHICLE IDENTIFIERS
- ☐ 6. WRITER/REVIEWER DISCRETION

PROPERTY CODE:

S – STOLEN • R – RECOVERED • L – LOST • F – FOUND • E – EMBEZZLED • D – DAMAGED • K – SAFEKEEPING
(Use all applicable Codes; for example, if property is both Stolen and Recovered, Code is S/R)

RELEASED TO

CODE	ITEM #	QUAN.	DESCRIPTION (Include kind of article, trade name, identifying numbers, physical description, material, color, condition, age and present market value)	SERIAL #	VALUE
			** See page 4 for evidence**		

(S)

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT EVIDENCE AND PROPERTY PAGE

Homicide Bureau
URN FILE#: 020-08775-0375-013

EV = Evidence F = Found F250 = Found greater than $250 S = Surrendered K = Safekeeping P = Inmate Property

CAT	ITEM #	CSI #	QUAN	DESCRIPTION	VALUE	BOOKED BY	BOOKING DATE	BARCODE #
D	1		1	Digital Imaging File/Media (Crime Lab P) - One CompactFlash memory card with photographs of multiple locations		Mira Amin [redacted]	10/15/2020	
EV	2	RH-1	1	Condoms - one used condom Booked At: CRIME LAB		Mira Amin [redacted]	10/15/2020	
EV	3		1	Documents - Witness Transportation Consent Forms for V[redacted] V[redacted] V[redacted] and V[redacted] Article: Other Make: Not Applicable Model: Not Applicable Serial Number: Not Applicable		Laina Do [redacted]	10/15/2020	



B

At South Los Angeles Station, we (Deput Reyes and I) contacted South Los Angeles unit 34/E who were involved in shooting at [redacted] Unit 34/E stated they were in vehicle pursuit of an assault with a deadly weapon (firearm) suspect in a silver Volkswagen.

At the end of the pursuit, the suspect, and sole occupant, exited his vehicle, unit 34/E exited their patrol vehicle, and a deputy involved shooting occurred across from [redacted] (on the south curb-line).

We responded to [redacted] regarding the Deputy involved shooting.

We saw the suspect on the south sidewalk, across from [redacted] The suspect was laying on his stomach, with his head was facing east and feet facing west. The suspect was handcuffed behind his back.

Los Angeles County Fire Engine 14, under the direction of Captain Sheen, arrived on scene. Paramedic Balderrama [redacted] pronounced the suspect deceased at 0412 hours.

Los Angeles County Homicide Bureau was notified at approximately 0558 hours. Homicide Detective Marx [redacted] and Sergeant Shrout [redacted] arrived on scene at approximately 0800 hours and subsequently took command of the investigation.

The deceased suspect was assigned Los Angeles Coroner Case #2020-09624.

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

SUPPLEMENTAL REPORT

DATE: 10-15-20 FILE: 020-08775-0375-013 ACTION: Active/Addittional Info

C: Assault with a Deadly Weapon (Firearm), 245(a)(2) P.C. / F / 051

V: [redacted] FW/[redacted]

V: [redacted] FB[redacted]

S: Young, Dana MB/01-30-73

NARRATIVE

The purpose of this supplemental report is to provide active/additional information regarding the above file number.

We (Deputy Reyes [redacted] and I) were assigned as unit 34/D at South Los Angeles Station. At approximately 0443 hours, we contacted unit 34/E (Deputy Leonardi [redacted] and Deputy Walker [redacted] at South Los Angeles Station regarding a Deputy involved shooting. The shooting occurred at [redacted]

Deputy Leonardi stated the following:

At approximately 0349 hours, unit 31B/E (Deputy Johnson [redacted] and Deputy Seno [redacted] and 34/E responded to 113th and Normandie Avenue regarding a priority assault with a deadly weapon just occurred call (Tag-11). The call stated stated the informant had been shot at and the disturbing party was last seen northbound on Normandie Avenue in a silver Volkswagen. While en route to the incident, dispatch updated the call via handheld radio, stating the informant was following the suspect vehicle, but was now parked at 120th Street and Normandie Avenue.

Deputy Leonardi arrived on scene at 120th Street and Normandie Avenue. Prior to their arrival, Deputy Johnson and Deputy Seno were talking to a female black adult (later identified as V/[redacted] and a male Black adult (later identified as V/[redacted] (for additional information regarding Deputy Johnson and Deputy Seno's involvement, see Deputy Johnson and Deputy Seno's supplemental reports under the same file number). Deputy Walker stated V/[redacted] told them that she had just been shot at and her [redacted] (later identified as V/[redacted] had been kidnapped from 103rd Street and Figueroa Street in the city of Los Angeles and was in a silver Volkswagen(for additional information regarding Deputy Leonardi and Deputy Walker's involvement, see Homicide Bureau's supplemental reports under the same file number).

Deputy Leonardi stated Deputy Cano and Deputy Ibarra additionally arrived at the indicated location (120th Street and Normandie Avenue). Deputy Walker stated V/[redacted] told them she had an application to track V/[redacted] location (NFD). V/[redacted] opened the application and voluntarily provided Deputy Cano and Deputy Ibarra the last known location of V/[redacted] (near Imperial Highway and New Hampshire Avenue).

		DATE:	TIME:
BY:	Do, L. #[redacted]	10-15-10	2000 Hours
APPROVED:	SGT. [redacted]	10/15/20	2145 HRS
ASSIGNED:	HOMICIDE		
SECRETARY:	Beach [redacted]		

SCAN By: [illegible] Date: 10/17
LARCIS By: [illegible] Date: 10/17

SH-R-77 (RED TIP) REVISION 08/17

14

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT - SUPPLEMENTAL REPORT

NARRATIVE CONTINUATION

DATE: 10-15-20 FILE: 020-08775-0375-013 ACTION: Active/Additional Info

Deputy Leonardi stated Deputy Cano and Deputy Ibarra left the location in order to check the vicinity for the suspect vehicle and its last known location (for further information regarding Deputy Cano and Deputy Ibarra's involvement, see Homicide Bureau's supplemental report under the same file number).

V/[redacted] was transported to South Los Angeles Station by unit 35T1, (Deputy Storm [redacted] and Deputy Ferreira [redacted] (for further information regarding their involvement, see their supplemental report under the same file number).

V/[redacted] voluntarily drove himself and V/[redacted] while V/[redacted] voluntarily drove himself, to South Los Angeles Station in order to cooperate with the investigation (see attached copies of the Witness Transportation Consent Form).

I contacted V/[redacted] at South Los Angeles Station who stated the following:

V/[redacted] stated she was on 101st Street and Figueroa Street in the city of Los Angeles when she received a phone call from V/[redacted] V/[redacted] stated V/[redacted] told her she was being forced to walk towards 103rd street by someone (NFD). V/[redacted] stated she started walking southbound on Figueroa Street from 101st Street when a group of her [redacted] (NFD) yelled out to her "She is in there" (referring to V/[redacted] and pointed at a silver Volkswagen. V/[redacted] stated she flagged down a gray 2017 Chevy Malibu 4-door California license plate [redacted] driving by. The driver (later identified as V/[redacted] allowed V/[redacted] to enter the vehicle and they started following the suspect vehicle westbound on 104th Street from Figueroa Street. V/[redacted] stated she was unfamiliar with the streets, as she is not from the area, so she could not provide any further direction of travel.

V/[redacted] stated at a round-about (NFD), the suspect vehicle yielded, and the suspect exited the vehicle. V/[redacted] stated she observed the suspect raise his right arm, and she knew that meant he was going to shoot at them. V/[redacted] stated she bent over at the waist in an attempt to shield herself with the dashboard of the vehicle. V/[redacted] stated she never observed a gun in the suspects' hand. V/[redacted] stated she heard three gunshots. V/[redacted] stated the suspect vehicle drove northbound on the street they were on and out of view. V/[redacted] stated she told V/[redacted] not to follow the suspect vehicle because she remembered she had an application on her phone that could track V/[redacted] location.

V/[redacted] stated V/[redacted] parked the vehicle at 120th Street and Normandie Avenue and they awaited law enforcement personnel.

V/[redacted] described the suspect as a tall male adult wearing a dark colored sweatshirt and jeans (NFD). V/[redacted] described the suspect vehicle as a silver Volkswagen 4-door (NFD).

I contacted V/[redacted] at South Los Angeles Station who stated the following:

V/[redacted] stated he was driving southbound on Figueroa Street towards 101st street when he was flagged down by V/[redacted] V/[redacted] stated [redacted] was begging him to follow the silver Volkswagen in front of them because the suspect had just kidnapped V/[redacted] V/[redacted] allowed V/[redacted] to enter his vehicle and he began following the suspect vehicle.

BY: Do, L. #[redacted] DATE: 10-15-20 TIME: 2000 Hours

DATE: 10-15-20 FILE: 020-08775-0375-013 ACTION: Active/Additional Info

V/[redacted] stated he followed the suspect vehicle onto the 110 southbound freeway. V/[redacted] stated he was unfamiliar with the streets, as he is not from the area, so he could not provide any further direction of travel. V/[redacted] stated the suspect vehicle yielded at a round-about (NFD), facing northbound. V/[redacted] stated the suspect exited his vehicle and fired one round in his direction, utilizing his right hand. V/[redacted] stated he ducked down and used his rear-view camera to reverse his vehicle. V/[redacted] stated as he was reversing, he heard another round being fired.

V/[redacted] stated the suspect vehicle drove northbound and out of view. V/[redacted] stated V/[redacted] told him not to follow the suspect vehicle, so he parked at 120th Street/ Normandie Avenue and awaited law enforcement personnel.

V/[redacted] described the suspect as a male black adult, tall, thin build, wearing a gray hooded sweatshirt, shorts, and glasses. V/[redacted] described the firearm as black in color (NFD). V/[redacted] described the suspect vehicle as a gray Volkswagen 4-door, resembling a Passat.

I contacted V/[redacted] at South Los Angeles Station who stated the following:

V/[redacted] stated she was walking southbound on Figueroa Street towards 103rd Street. V/[redacted] stated as she was walking south, the suspect walked up to her and pulled out a black, long-barreled revolver and put it up against her waist. V/[redacted] stated the suspect forced her to walk eastbound on 103rd Street from Figueroa Street. V/[redacted] stated the suspect hit her on the back side of her head with the firearm. V/[redacted] did not know which hand the suspect used to hit her. V/[redacted] stated the suspects' vehicle was parked on 103rd Street near the alley. V/[redacted] stated the suspect told her to get in the driver's seat, and then had her climb over to the passenger seat.

V/[redacted] stated the suspect drove onto the freeway and told her to take off her clothes. V/[redacted] stated she was unfamiliar with the streets, as she is not from the area, so she could not provide any further direction of travel. V/[redacted] stated the vehicle yielded at some point and the suspect exited the vehicle and discharged a firearm one time (possibly at 127th Street and Budlong Avenue). V/[redacted] stated she did not know who or what the suspect was shooting at.

V/[redacted] stated the suspect entered the vehicle and drove northbound. V/[redacted] stated the vehicle yielded again in a parking lot, near a gas station. V/[redacted] stated the suspect held a gun to her head and threatened to kill her if she did not have sexual intercourse with him (for further information and details, see Homicide Bureau's supplemental report under the same file number).

V/[redacted] stated momentarily, law enforcement personnel arrived on scene. V/[redacted] stated the suspect started the vehicle and started to drive away, but she was able to unlock the door and exit the vehicle while the vehicle was moving.

V/[redacted] described the suspect as a male black adult, wearing a covid mask, gray hooded sweatshirt, shorts, and reading glasses (NFD). V/[redacted] described the vehicle as a silver Volkswagen 4-door (NFD).

BY: Do, L. [redacted] DATE: 10-15-20 TIME: 2000 Hours

V/[redacted] stated she had pain to the back of her head. Los Angeles County Fire Engine 14, under the direction of Captain Smithson, responded and evaluated V/[redacted] for her injuries (for further information, see Deputy Mendoza's [redacted] supplemental report number under the same file number).

I contacted a male Black adult (later identified as V/[redacted] at South Los Angeles Station who stated the following:

V/[redacted] stated he was at 110th Street and Figueroa Street at LAPD's Officer involved shooting incident. V/[redacted] stated he left the scene and drove southbound on Figueroa Street from 110th Street. V/[redacted] stated as he drove south, he observed a gray Chevy Malibu with its hazard lights on following a gray Volkswagen. V/[redacted] stated he was curious what was going on, so he started following the two vehicles. V/[redacted] stated the vehicles got onto the 110 southbound freeway and exited Rosecrans Avenue. V/[redacted] stated the vehicles traveled westbound on Rosecrans Avenue. V/[redacted] stated the vehicles went northbound on Vermont Avenue from Rosecrans Avenue and then westbound on 135th Street. V/[redacted] stated the suspect vehicle went northbound on Budlong Avenue and then yielded at the round-about at 127th Street/Budlong Avenue.

V/[redacted] stated the suspect exited his vehicle and fired two to three rounds, using his right hand, southbound, in the direction of his and V/[redacted] vehicle. V/[redacted] stated the suspect entered his vehicle and traveled northbound on Budlong Avenue from 127th Street and out of view.

V/[redacted] stated he did not continue to follow the suspect vehicle as he was in fear of being shot. V/[redacted] stated he followed V/[redacted] vehicle to 120th Street and Normandie Avenue and awaited law enforcement personnel.

V/[redacted] described the suspect as a male black adult, tall stocky build, wearing a gray hooded sweatshirt, shorts, and glasses. V/[redacted] stated he had a black firearm (NFD) in his right hand. V/[redacted] described the suspect vehicle as a silver Volkswagen 4-door (NFD).

LAPD-Southeast Officer [redacted] #[redacted] and Officer [redacted] #[redacted] responded to South Los Angeles Station to document the kidnapping that occurred at 103rd Street and Figueroa Street (under file #201015000455) and an assault with a deadly weapon (firearm) at 120th Street and Figueroa Street (under file #201015000470).

We responded to [redacted] and I observed the following:

Prior to our arrival, Los Angeles County Fire Engine 14, under the direction of Captain Sheen, arrived on scene. Paramedic Balderrama determined the suspect deceased at 0412 hours. Additionally, a containment was established around the crime scene to prevent any contamination and a command post was established at South Los Angeles Station. A major incident log was initiated.

I observed the suspect vehicle had collided at the end of 108th Street and was currently facing southbound. The vehicle was still running, and the front and rear windshield wiper blades were on (for further information, see Deputy Chien's [redacted] traffic collision report under file number 920-08784-0375-472).

I observed a black revolver with black grip underneath the driver's seat of the suspect's vehicle.

Parked just east of the suspect vehicle, facing southeast on the south curb-line, was a blue 2002 Mazda Protege 5 4-door with a California license plate #[redacted]

Approximately ten feet east of the Mazda, there was a black 2006 GMC Denali SUV with a California license plate #[redacted] parked on the south curb-line facing east. Underneath the rear passenger side of the Denali, I observed a bullet fragment.

I observed a set of three car keys on the south sidewalk, just south of the Denali.One of the car keys appeared to be shaved/tampered with.

Approximately 15 feet in front of the Denali, a 1997 GMC 1500 Suburban with a California license plate [redacted] was parked on the south curb-line facing east.

In between the Denali and the 1500 Suburban, I observed eight expended 9mm shell casings, both in the street and on the south sidewalk. Towards the rear of the 1500 Suburban, I observed a bullet fragment.

Directly in front of the 1500 Suburban, a gray 2012 Infiniti G37 4-door with a California license plate [redacted] was parked on the south curb-line facing east.

I observed a bullet fragment in between the 1500 Suburban and the Infiniti.

I observed three impact points in the wrought iron metal fence (Woodcrest Elementary School, 1151 109th Street), south of the sidewalk. One of the impact points had a bullet fragment en-lodged in the metal fence.

I observed the suspect on the south sidewalk, across from [redacted] The suspect was laying on his stomach, with his head facing east and feet facing west. The suspect was handcuffed behind his back.

We directed unit 31B/D (Deputy Abraham #[redacted] and Deputy Greene #[redacted] to canvas the vicinity of 108th Street, 103rd Street and Figueroa Street, 120th Street and Figueroa Street, and 11603 Vermont Avenue (Vermont PAX parking lot) for video surveillance and additional witnesses, victims, and/or suspects (for further information regarding their involvement, see Deputy Abraham and Deputy Greene's supplemental reports under the same file number).

We directed unit 31D/D (Deputy Huynh [redacted] and Deputy Gonzalez #[redacted] to contain the scene at 127th Street and Budlong Avenue and canvas the vicinity for video surveillance and additional witnesses, victims, and/or suspects (for further information regarding their involvement, see their supplemental report under the same file number).

Homicide Detective Montenegro [redacted] and Sergeant Jaramilla #[redacted] arrived on scene and took command of the investigation.

BY: Do, L. #[redacted] DATE: 10-15-20 TIME: 2000 Hours

COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT - SUPPLEMENTAL REPORT

NARRATIVE CONTINUATION

DATE: 10-15-20 FILE: 020-08775-0375-013 ACTION: Active/Additional Info

Crime lab personnel (Liang [redacted] and Amin [redacted] arrived at approximately 0952 hours and processed the crime scene. Additional personnel (Swartz [redacted] Wu [redacted] and Carios [redacted] arrived later to assist in processing the scene.

We were relieved by unit 34/P (Deputy Ceja [redacted] and Deputy Chien [redacted] at approximately 1430 hours. Unit 34/P took over the Major Incident Log and any further scene duties (for further information regarding their involvement, see their supplemental report under the same file number).

Coroner Hertzog [redacted] arrived on scene at approximately 1741 hours and took possession of the deceased suspect.

The suspect's vehicle was towed and stored at B & H Tow (20621 Earl Street, Torrance, 310-370-3768) per storage authority 22655.5 CVC.

BY: Do, L. [redacted] DATE: 10-15-20 TIME: 2000 Hours



LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE
BUREAU OF PROSECUTION SUPPORT OPERATIONS
JUSTICE SYSTEM INTEGRITY DIVISION

GEORGE GASCÓN • District Attorney
JOSEPH F. INIGUEZ • Chief of Staff

DIANA M. TERAN • Director

July 20, 2022

Captain Andrew D. Meyer
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

Re: Fatal Officer Involved Shooting of Dana Mitchell Young
J.S.I.D. File #: 20-0403
LASD. File #: 020-08775-0375-013

Dear Captain Meyer:

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 15, 2020, fatal shooting of Dana Mitchell Young by Los Angeles County Sheriff's Department Deputy Kevin Walker. Our detailed analysis of this incident is contained in the attached memorandum.

Very truly yours,

GEORGE GASCÓN
District Attorney

ALAN YOCHELSON
Head Deputy District Attorney
Justice System Integrity Division

c: Deputy Kevin Walker #[redacted]

Hall of Justice
211 West Temple Street, Suite 1200
Los Angeles, CA 90012
(213) 974-3888
Fax: (213) 626-5125
WEBSITE: http://da.lacounty.gov

MEMORANDUM

TO: CAPTAIN ANDREW D. MEYER
Los Angeles County Sheriff's Department
Homicide Bureau
1 Cupania Circle
Monterey Park, California 91755

FROM: JUSTICE SYSTEM INTEGRITY DIVISION
Los Angeles County District Attorney's Office

SUBJECT: Fatal Officer Involved Shooting of Dana Mitchell Young
J.S.I.D. File #20-0403
L.A.S.D. File #020-08775-0375-013

DATE: July 20, 2022

The Justice System Integrity Division of the Los Angeles County District Attorney's Office has completed its review of the October 15, 2020, fatal shooting of Dana Mitchell Young by Los Angeles County Sheriff's Department (LASD) Deputy Kevin Walker. We have concluded that Deputy Walker acted lawfully in self-defense, in defense of others, and/or in an attempt to arrest a person he believed to be a dangerous felon.

The District Attorney's Command Center was notified of the shooting on October 15, 2020 at approximately 6:11 a.m. The District Attorney Response Team responded to the location and were given a briefing regarding the circumstances surrounding the shooting and a walk-through of the scene.

The following analysis is based on investigative reports, firearms analysis reports, dispatch recordings, crime scene diagrams and video, photographic evidence, coroner's autopsy report and witness statements submitted to this office by LASD Detective Jason Marx and Sergeant Stephanie Shrout. The voluntary statement of Deputy Walker was considered as part of this analysis.

FACTUAL ANALYSIS

On October 15, 2020 at approximately 3:40 a.m., Los Angeles Police Department (LAPD) received a call of a possible kidnapping near the intersection of 103rd and Figueroa Streets in the City of Los Angeles. At approximately 3:49 a.m., LASD received a call of shots fired, assault with a deadly weapon at 127th Street and Budlong Avenue. The caller stated that the informant had been shot at and the suspect was last seen northbound on Normandie Avenue in a silver Volkswagen. The call was updated to add that the informant was following the suspect vehicle but was now parked at 120th Street and Normandie Avenue.

Deputies Leonardi and Walker were working in uniform and in a marked black and white Ford Explorer when they received a priority call advising of an assault with a deadly weapon that had just occurred. Walker and Leonardi were assigned to handle the call.

Walker and Leonardi were informed by dispatch that the victim of the assault was in a car, following the person who shot at her. When they arrived at 120th Street and Normandie Avenue, Walker and Leonardi observed the informant, [redacted] speaking to other deputies. [redacted] appeared to be hysterical and crying saying, "Help her! Help her! He kidnapped her! He took her! He's going to kill her!"

Walker spoke to [redacted] and was able to calm her. [redacted] told Walker that her [redacted] had been kidnapped by a man, later identified as Dana Mitchell Young, in a silver Volkswagen SUV. [redacted] told the deputies she flagged down a car driven by [redacted] got in and tried to follow Young. At a roundabout, Young got out of the car and fired a gun at [redacted] and [redacted] three times. [redacted] said she ducked down so she did not see the gun, but she clearly heard three gunshots. She remembered that she had a GPS tracker application on her phone that was able to see [redacted] location, so she stopped following them. [redacted] showed the deputies [redacted] location using the "Life 360" application and then gave Walker her phone.

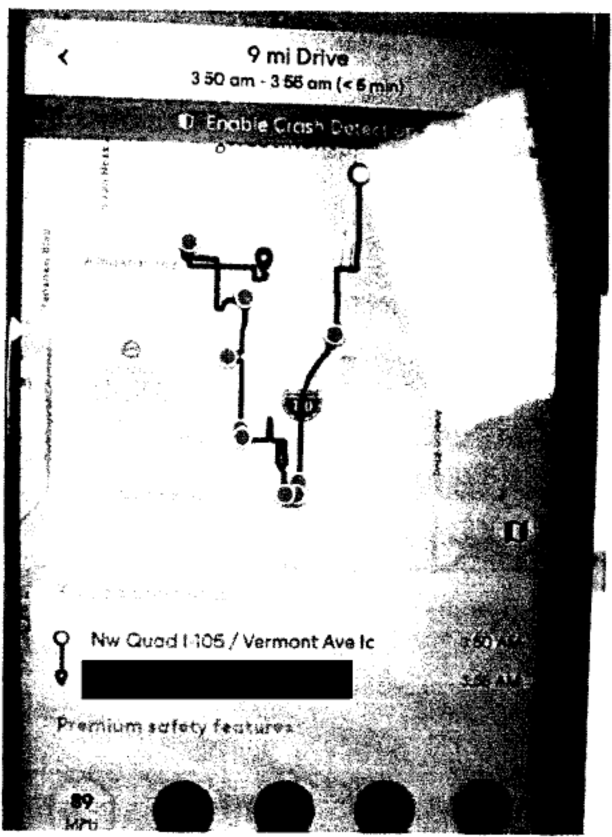


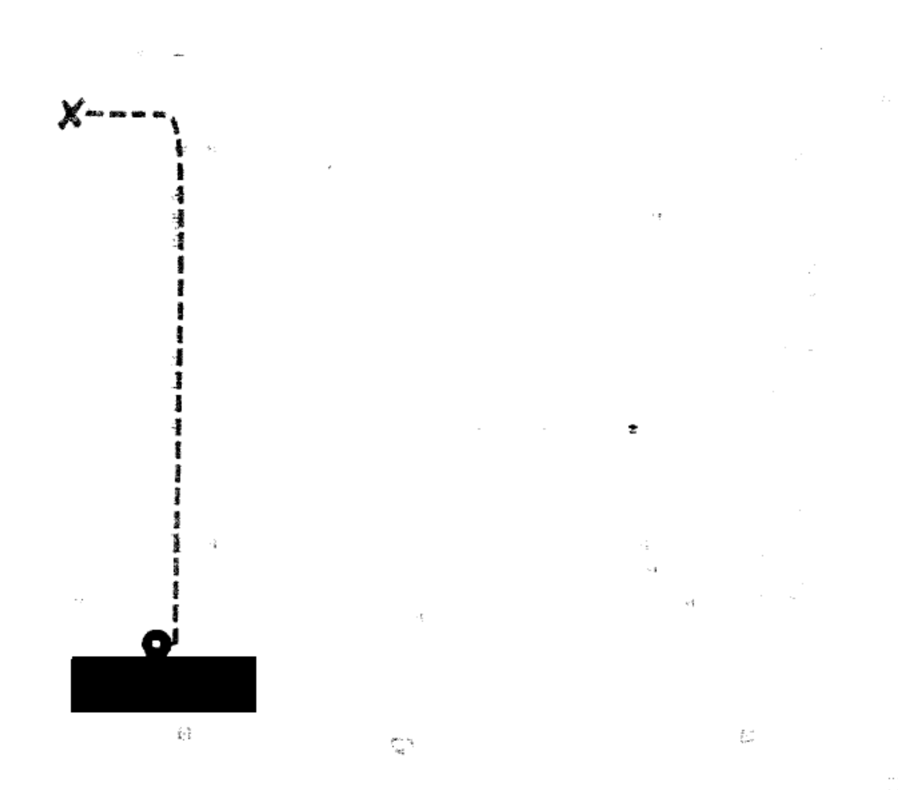
Photo of [redacted] phone showing the path taken from the point of kidnapping to the Park and Ride lot.

Deputies Ibarra and Cano were working patrol, in full uniform and in a marked black and white car when they responded to the location where Cheyenne's phone was pinging, which was near Imperial Highway and New Hampshire Avenue at a PAX (park and ride) lot. Cano drove into the lot and saw the silver Volkswagen, parked and backed into a stall. Cano and Ibarra approached the Volkswagen on foot. Cano walked across the front of the vehicle with his firearm drawn and with the firearm light illuminated. Through a small clearing in the fogged window, Cano was able to see a naked female in the backseat. Young was in the front seat. Young immediately started the car and started driving eastbound. [redacted] managed to put her underwear on before she jumped out

of the backseat of the moving car. At the same time, Walker and Leonardi, who were driving in the lot, got behind Young's vehicle and initiated a vehicle pursuit with lights and sirens activated.

Young drove north on Vermont Avenue and turned left onto 108th Street, which ends in a cul-de-sac. Young drove to the end of 108th Street and crashed into the fence of Woodcrest Elementary School. Young then got out of the car and ran around the cul-de-sac as Walker and Leonardi jumped out of their patrol vehicle. Young faced Walker and Walker stated he saw a black object he believed to be a gun in Young's right hand. Walker fired six shots, three of which struck Young. Leonardi put Young in handcuffs and Ibarra put out the call that there was a Deputy involved shooting.

Investigators found a black face mask in Young's right hand. A cell phone was in the other hand. A black and gray revolver was found on the floorboard beneath the driver seat of the silver Volkswagen Tiguan that Young was driving. The revolver was loaded with one spent cartridge case and five live rounds.



Map showing the path that Walker and Leonardi pursued Young. The path ends at the cul-de-sac on 108th Street.

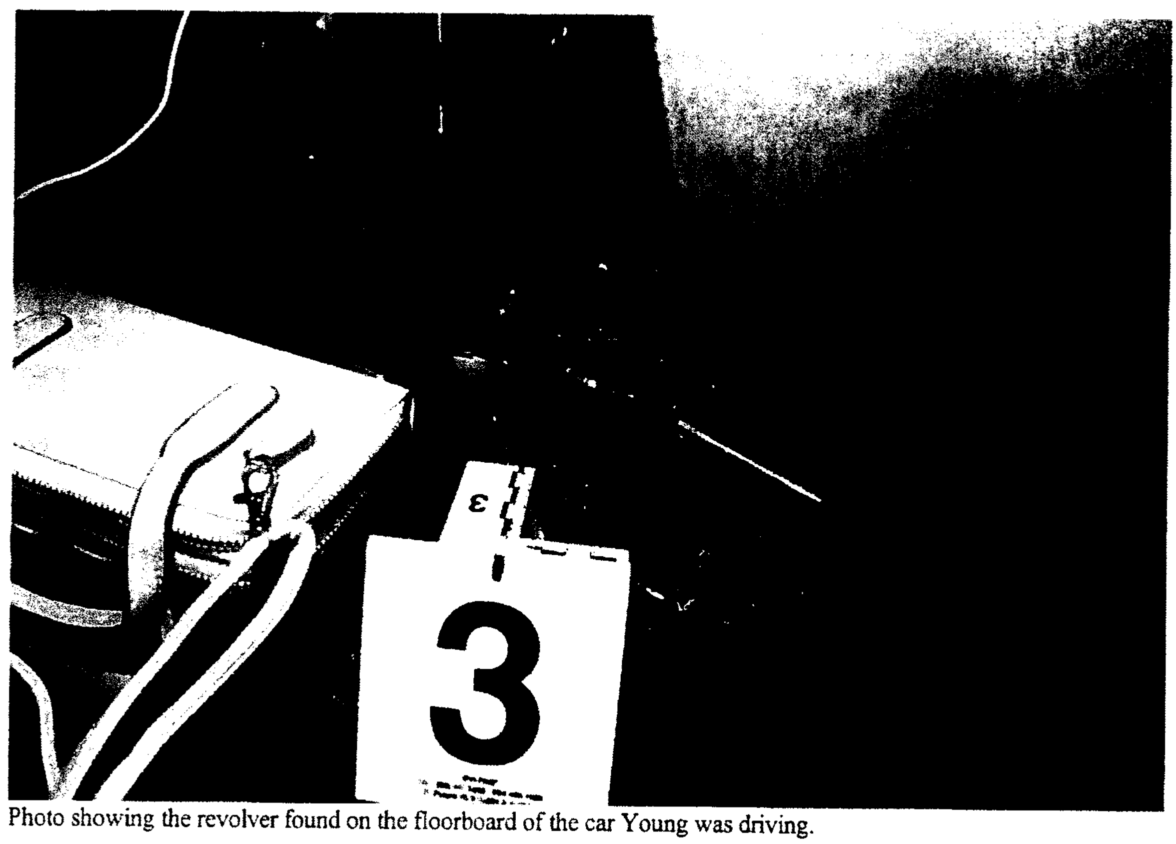


Photo showing the revolver found on the floorboard of the car Young was driving.



Photo showing the fully loaded revolver. The white arrow points to the expended casing, indicated by the pin mark.

WITNESS STATEMENTS

Statement of [redacted]

[redacted] was walking on Figueroa Street at 101st Street when she heard rapidly approaching footsteps. Before she could turn around, Young pulled out a revolver, jammed it into her right ribs, and said, "Give me all your fucking money." [redacted] immediately handed over her money and her iPhone. Young took the money and continued walking, with the gun against her ribs, southbound on Figueroa towards 103rd Street until they reached an alley. [redacted] tripped as they were walking down the alley and Young pistol whipped her in the back of the head and said, "Keep fucking walking." He forced her southbound until they got to a silver car. Young pushed [redacted] into the car through the driver's door, over the console and into the passenger seat. Young told [redacted] "If you try to run, I'll kill you."

Young then began driving at a high rate of speed. [redacted] had no idea where they were going but at some point, Young noticed cars following them and he began shooting at the cars. Young said, "I don't know who they are, but I'm going to kill them too!" Young got out of the car, stood in the doorway of the vehicle, and fired the revolver twice towards the rear of his vehicle. He got back in the car and drove away.

[redacted] has a location tracking application on her phone called "Life 360." Her [redacted] tracks her location when [redacted] is working. [redacted] does the same for [redacted] when she is working and believed [redacted] was the one following them.

Young asked [redacted] if she wanted to live. [redacted] said, "Yes." Young said, "Then you are going to fuck the shit out of me." Young instructed [redacted] to remove her clothes, which she did, while he was driving with his left hand and holding the revolver in his right hand. They continued driving until they arrived at a parking lot on New Hampshire Avenue, just south of Imperial Highway. Young parked and both he and [redacted] moved to the back seat of the car.

Once in the backseat, [redacted] believed Young was going to rape her. Young then noticed police cars approaching. Young told [redacted] to duck and both went under the seats onto the floorboard. Young pressed the barrel of the revolver against [redacted] head and told her, "Don't fucking move." The police car lights shined into the car, but they were unable to see them. Young yelled at [redacted] "Stay the fuck down or I'm going to kill you." [redacted] complied and did not move.

The police cars appeared to leave the area. Young got out of the car and entered the front seat. As he did, an LASD deputy contacted Young. The deputy shined his light into the car and [redacted] took the opportunity to escape and jumped out of the car and ran away. [redacted] said she heard Young fire one shot from his revolver as he drove away.

The deputies got into their car and left the parking lot after they told [redacted] another unit would be there shortly. A short time later [redacted] heard what she believed to be more gunshots in the distance.

Voluntary Statement of Deputy Kevin Walker

On October 16, 2020, Marx and Shrout interviewed Walker. Walker stated that he was working with his partner Deputy Leonardi on October 15, 2020. Walker said he spoke to [redacted] who told him that she and a male were following her [redacted] who had been kidnapped, by using a GPS locator application. [redacted] told Walker that while they were following, the male who kidnapped her [redacted] shot at them. [redacted] gave Walker her phone with the GPS application. Walker gave the phone to Deputy Ibarra.

Walker went back to his patrol vehicle and brought up the Mapper on the Mobile Digital Computer, which allows him to track other patrol units via GPS. Walker and Leonardi followed Ibarra and Cano to the 115th Street and New Hampshire Avenue Park and Ride. Upon arrival, Walker saw Cano and Ibarra with their guns drawn on a Volkswagen. Walker said Cano and Ibarra seemed to be in control until the car peeled out making a loud noise. Cano and Ibarra went from seeming in control to looking very startled and shocked.

Walker said that Leonardi said he smelled gun powder. Walker did not smell gun powder, but he said that the look on Cano and Ibarra's faces as the car peeled out was consistent with them having been shot at. Walker radioed out that they were in full pursuit of a "245 firearm suspect" and potential kidnapping suspect.

Leonardi and Walker followed the Volkswagen as it "peeled out" onto Vermont Avenue. Walker said they were in full pursuit with lights and sirens activated. Young was traveling northbound in the southbound lanes of Vermont Avenue. Walker saw headlights from oncoming traffic coming towards them. Walker and Leonardi were still discussing whether or not Cano and Ibarra had been shot at. Walker did not know if [redacted] was still in the vehicle with Young.

When Young turned on 108th Street, Walker knew it was a dead end and anticipated they would soon be engaged with an armed suspect. Walker told investigators that based on the fact that Young had kidnapped a woman, shot at civilians, possibly shot at deputies, and was leading them on a high speed pursuit in wrong way traffic, Walker felt Young was a very high threat to him, his partner, and the public. The Volkswagen came to a crash at the end of a cul-de-sac.

Walker saw the driver step out of the car and the first thing he noticed was an unknown object in his left hand and a black object that Walker believed to be a firearm in his right hand. As Young was looking at the patrol vehicle, Walker moved backwards attempting to seek cover behind the police car. Walker said he thought Young was going to come around the car and shoot them. When Walker came up from behind the car, he was face to face with Young. As Young lifted his right arm, Walker believed a firearm was being raised. In fear for his life, Walker fired five to seven rounds in rapid succession. Walker saw his own gun firing and Young's body moving past him, continuing to move, and then becoming air born before finally striking the ground and sliding before coming to rest. Walker stated it was difficult to remember every detail after that moment. Walker still had his firearm pointed at Young as he and Leonardi got closer. It was then that Walker was able to clearly see Young's hands. At this time Walker realized the black object in his right hand was a face mask not a firearm.

Walker said all shots were fired in "one volley."

Statement of Deputy Christopher Leonardi

On October 16, 2020, Marx and Shrout interviewed Leonardi at the South Los Angeles Sheriff's Station. Leonardi said he and Walker were responding to a 9-1-1 call that someone in a silver Volkswagen was firing shots at the 9-1-1 caller. As Leonardi and Walker approached the Vermont Park and Ride, Leonardi saw Ibarra and Cano holding a silver Volkswagen SUV at gunpoint with their weapons lights on. As Leonardi drove into the park and ride towards Ibarra and Cano, he saw them backing away rapidly. Leonardi's windows were down and as the Volkswagen SUV drove off at a rapid pace, swerving, Leonardi was under the impression that the car tried to hit the deputies. As the Volkswagen SUV drove off, Leonardi smelled gun smoke. Leonardi did not see muzzle flashes from where Ibarra and Cano were standing. Leonardi believed an assault on police officers had just occurred.

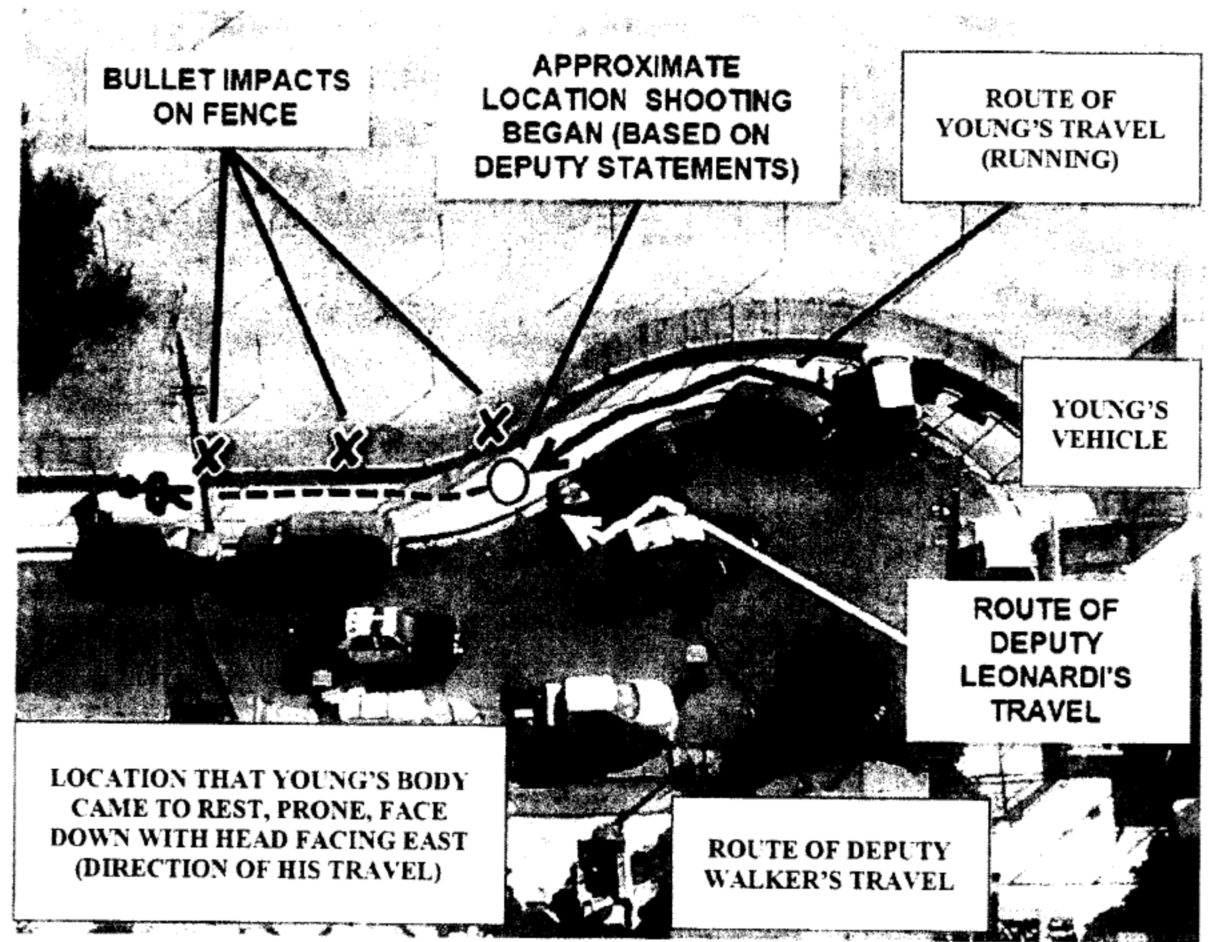
Leonardi and Walker followed the silver Volkswagen SUV through the parking lot to Vermont Avenue. Leonardi was pressing all the way down on the accelerator but the Volkswagen SUV was still pulling away from them. Young was driving at a high rate of speed and was going northbound in the southbound lanes. When Young approached 108th Street, he slowed down to make a left turn. This allowed Leonardi to close some of the gap between their vehicles. Leonardi was aware that 108th Street is a cul-de-sac.

When they arrived at the end of the cul-de-sac, Young turned slightly southbound and collided with a wall. Young's Volkswagen SUV came to rest with the driver side door facing Leonardi and Walker's vehicle. As Leonardi was putting the car in park and Walker was beginning to exit, Young opened his car door and exited the vehicle. Leonardi said Young's body was "squared" up to the deputies. Leonardi said Young was wearing blue shorts and he had a black object on his right-side waistband that Leonardi thought was a holster. Young immediately ran eastbound on the sidewalk behind a parked SUV.

Leonardi went to the rear of his patrol car and lost sight of Young. Walker was on Leonardi's left side. Walker's arms were extended outward with his firearm in hand. Leonardi then saw Young come back into sight as he made his way around the cul-de-sac to the front of the SUV parked on the curb. Young turned towards the deputies and Leonardi saw Young's hand go near his waistband where he had previously seen what he thought was a holster. While still attempting to gain a clear view of Young, Leonardi heard approximately six rapid gunshots.

Young continued running a short distance, then appeared to jump forward and become vertically airborne before landing on the sidewalk. Young's body slid on the sidewalk until it came to rest. Leonardi said he never fired his weapon because he never had a clear shot and was concerned he would hit Walker's arms. Leonardi then walked over to Young to detain him at gunpoint.

Leonardi said at the time of the shooting he was feeling fear and amplified adrenaline. He had seen two other deputies potentially get shot at and he had followed Young down what is normally a busy street as he was driving on the wrong side of the street at a high rate of speed. Young was believed to be a violent felony suspect that shot at other people already and he felt there was a high probability and likelihood that Young was going to shoot them. His expectation was that he and Walker were going to be in a shootout with Young.



Ariel photograph showing the relevant locations of the OIS.

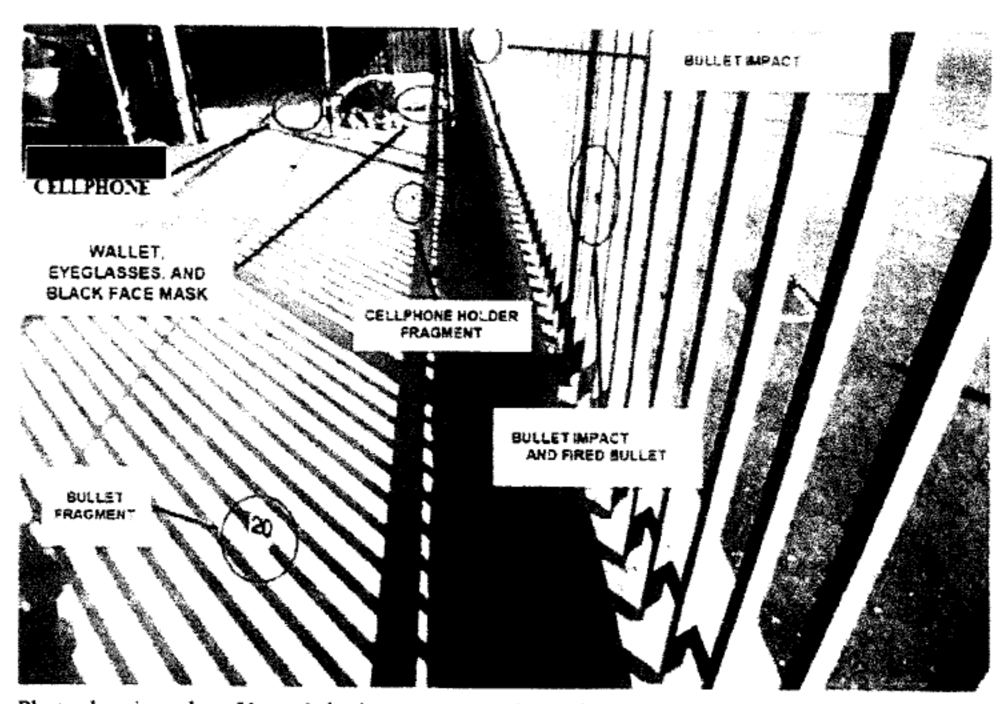


Photo showing where Young's body came to rest, items dropped, and bullet impacts.

Coroner's Report

On October 23, 2020, Dr. Kevin Young conducted an autopsy on Young's body. Dr. Young determined the cause of death to be a gunshot wound to the head. Young sustained four gunshot wounds. All wounds traveled left to right and upward. The first gunshot wound was to the head and was determined to be fatal; the second gunshot wound was to the back and was determined to be potentially fatal; the third gunshot wound was to the lower abdomen and was determined to be non-fatal; and the fourth gunshot wound was through the penis and was determined to be non-fatal.[1] Dr. Young noted a 1/4th inch graze wound on Young's left thigh. Dr. Young noted several scattered abrasions to Young's face as well as scattered small abrasions to Young's left shoulder, forearm, left abdomen, both knees, right lower back, and right posterior hand. Soot, stippling, searing, or muzzle stamp was not seen on any of the gunshot wounds.

On June 14, 2022 the assigned DDA and Marx met with Dr. Young to discuss the autopsy. Dr. Young stated that it is not possible for him to determine the distance between the firearm and the deceased at the time of the shooting. The fatal gunshot entered Young's head from the left back side, two inches below the top of the head and one inch left of the midline. The bullet ricocheted off the right inner parietal skull and was recovered inside the right frontal lobe. The bullet traveled left to right and upward.

Young suffered a series of facial wounds including chipped upper central incisors, a large abrasion across the left forehead, two 2-inch abrasions down the left temple/cheek, nasal abrasions, and a ¾-inch by ¼ inch full thickness avulsion of the left upper lip consistent with sliding on concrete.

LEGAL ANALYSIS

California law permits the use of deadly force in self-defense or in the defense of others if the person claiming the right of self-defense or the defense of others actually and reasonably believed that he or others were in imminent danger of great bodily injury or death. Penal Code section 197; *People v. Randle* (2005) 35 Cal.4th 987, 994 (overruled on another ground in *People v. Chun* (2009) 45 Cal.4th 1172, 1201); *People v. Humphrey* (1996) 13 Cal.4th 1073, 1082; *see also*, CALCRIM No. 505.

A peace officer is justified in using deadly force upon another person when the officer reasonably believes, based on the totality of the circumstances, that such force is necessary for either of the following reasons: (1) to defend against an imminent threat of death or serious bodily injury to the officer or to another person; or (2) to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended. Penal Code section 835a(c)(1)(A) & (B).

A threat of death or serious bodily injury is imminent when, based on the totality of the circumstances, a reasonable officer in the same situation would believe that a person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury to the peace officer or another person. An imminent harm is not merely a fear of future

[1] The numbering of the wounds is for identification only and does not indicate the order in which they were received.

harm, no matter how great the fear and no matter how great the likelihood of the harm, but is one that, from appearances, must be instantly confronted and addressed. Penal Code section 835a(e)(2).

When considering the totality of the circumstances, all facts known to or perceived by the peace officer at the time, including the conduct of the officer and the subject leading up to the use of deadly force, are taken into consideration. Penal Code section 835a(a)(4) & (e)(3). The peace officer's decision to use force is not evaluated with the benefit of hindsight and shall account for occasions when officers may be forced to make quick judgments about using force. Penal Code section 835a(a)(4).

Under the current use of force law, the reasonableness of an officer's use of deadly force is analyzed using a reasonable officer standard, not the reasonable person standard that was previously applied and articulated in *People v. Mehserle* (2012) 206 Cal.App.4th 1125, 1147. In evaluating whether a police officer's use of deadly force was reasonable in a specific situation, it is helpful to draw guidance from the objective standard of reasonableness adopted in civil actions alleging Fourth Amendment violations. "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight... The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments—in circumstances that are tense, uncertain, and rapidly evolving—about the amount of force that is necessary in a particular situation." *Graham v. Connor* (1989) 490 U.S. 386. 396-397.

The prosecution has the burden of proving beyond a reasonable doubt that a killing was not justified. CALCRIM Nos. 505, 507.

The evidence examined in this investigation shows that Young robbed and kidnapped [redacted] pistol whipped her and planned to rape her before the deputies arrived. There is evidence to support Young may have fired at least one round from his revolver in the Park and Ride lot at Ibarra and Cano. [redacted] heard a shot and Leonardi smelled gun powder in the Park and Ride lot. The fact that an expended casing was found in the revolver adds support to this belief.

When Young exited the car holding a dark object, Walker stated that he believed that the object was a firearm. The evidence supports this belief and it was reasonable under these circumstances. Moreover, the evidence supports Walker's stated belief that Young had recently committed felonies that threatened serious bodily injury and unless immediately apprehended would cause death or serious bodily injury to him or others. Based on the totality of circumstances known to or perceived by Walker, it was reasonable for him to believe that the use of deadly force was necessary within the meaning of Penal Code section 835a(c) and therefore lawful. The fact that Young was later determined to be unarmed at the time Walker fired his duty weapon does not alter this conclusion.

CONCLUSION

We find that Deputy Kevin Walker acted lawfully in self-defense, in defense of others, and/or in an attempt to apprehend a person he believed to be a dangerous fleeing felon when he used deadly force against Dana Mitchell Young.